

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

| | | |
|--|---|---------------------|
| JEREMY WILCZYNSKI | : | CIVIL ACTION |
| Plaintiff, | : | |
| | : | |
| vs. | : | |
| | : | |
| JO ANNE B. BARNHART, | : | |
| Commissioner of Social Security | : | |
| Defendant. | : | NO. 02-4456 |

ORDER

AND NOW, this 7th day of October, 2002, upon consideration of Defendant's Motion to Dismiss Count IV of Plaintiff's Complaint (Document No. 5, filed September 23, 2002), there being no objection to the granting of the Motion, **IT IS ORDERED** that Defendant's Motion to Dismiss Count IV of Plaintiff's Complaint is **GRANTED**.

BY THE COURT:

JAN E. DUBOIS, J.